

118TH CONGRESS
2D SESSION

S. 5302

To amend title 5, United States Code, to address the responsibilities of the Administrator of General Services with respect to Federal advisory committees, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 12, 2024

Mr. PETERS (for himself and Mr. CASSIDY) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend title 5, United States Code, to address the responsibilities of the Administrator of General Services with respect to Federal advisory committees, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Advisory Com-
5 mittee Database Act”.

6 **SEC. 2. FEDERAL ADVISORY COMMITTEES.**

7 Chapter 10 of title 5, United States Code, is amend-
8 ed—

1 (1) in section 1006—

2 (A) in subsection (a)—

3 (i) by striking “The Administrator”

4 and inserting the following:

5 “(1) IN GENERAL.—The Administrator”; and

6 (ii) by adding at the end the fol-

7 lowing:

8 “(2) COLLECTION OF INFORMATION.—

9 “(A) IN GENERAL.—The Committee Man-
10 agement Secretariat established and maintained
11 under paragraph (1) shall continually collect
12 from the head of each agency such information
13 as is necessary for the Administrator to carry
14 out the responsibilities of the Administrator
15 under this section, which shall include, at a
16 minimum, the following with respect to each ad-
17 visory committee within the jurisdiction of that
18 agency:

19 “(i) The name of the advisory com-
20 mittee.

21 “(ii) The authority under which the
22 advisory committee is established.

23 “(iii) A copy of the charter of the ad-
24 visory committee.

1 “(iv) The interest areas of the advi-
2 sory committee.

3 “(v) The means by which the advisory
4 committee complies with the requirements
5 of section 1004(b)(2) (commonly referred
6 to as a ‘Membership Balance Plan’).

7 “(vi) The current (as of the date on
8 which the information is collected) mem-
9 bership of the advisory committee, which
10 shall include, at a minimum, the following
11 with respect to each member of the advi-
12 sory committee:

13 “(I) The name of the member.

14 “(II) The ethics designation of
15 the member, such as whether the
16 member is an employee, a special Gov-
17 ernment employee (as defined in sec-
18 tion 202 of title 18), or a representa-
19 tive member.

20 “(III) The entity or individual
21 who appointed the member to the ad-
22 visory committee, which shall include
23 an identification of the authority for
24 that appointment.

1 “(IV) The term of the appoint-
2 ment of the member to the advisory
3 committee, as appropriate.

4 “(vii) The Advisory Committee Man-
5 agement Officer designated under section
6 1007(b) with respect to the advisory com-
7 mittee.

8 “(viii) The officer or employee des-
9 ignated under section 1009(e) with respect
10 to the advisory committee.

11 “(ix) The termination date of the ad-
12 visory committee, as applicable.

13 “(x) With respect to a particular fis-
14 cal year, the total operational and staff
15 costs of the advisory committee for that
16 fiscal year, and with respect to the forth-
17 coming fiscal year, the estimated total
18 operational and staff costs of the advisory
19 committee for that forthcoming fiscal year.

20 “(xi) The frequency with which the
21 advisory committee (excluding any sub-
22 committee or other subgroup of the advi-
23 sory committee) has met and the dates on
24 which those meetings have taken place.

1 “(xii) A summary of the business con-
2 ducted at each meeting of the advisory
3 committee.

4 “(xiii) The recommendations issued by
5 the advisory committee, which shall in-
6 clude—

7 “(I) the number of those rec-
8 ommendations; and

9 “(II) if feasible, information re-
10 garding whether those recommenda-
11 tions were partially or fully imple-
12 mented.

13 “(B) PUBLICATION.—The Committee
14 Management Secretariat established and main-
15 tained under paragraph (1) shall, with respect
16 to the information collected under subpara-
17 graph (A) of this paragraph—

18 “(i) annually publish that information
19 on a public website of the General Services
20 Administration, which shall allow for that
21 information to be downloaded in a format
22 that is machine-readable, as defined in sec-
23 tion 3502 of title 44; and

24 “(ii) on the website described in
25 clause (i) of this subparagraph, maintain

1 access to that information from previous
2 years, as applicable with respect to rel-
3 evant records schedules.”;

4 (B) in subsection (b)—

5 (i) in paragraph (1)—

6 (I) in the matter preceding sub-
7 paragraph (A), by inserting “, in con-
8 sultation with the head of each agen-
9 cy,” after “the Administrator”;

10 (II) by redesignating subpara-
11 graphs (C) and (D) as subparagraphs
12 (D) and (E), respectively; and

13 (III) by inserting after subpara-
14 graph (B) the following:

15 “(C) whether the committee, for the period
16 covered by the review, complied with the re-
17 quirements of subsection (a)(2);”;

18 (ii) by amending paragraph (3) to
19 read as follows:

20 “(3) BIENNIAL REPORT AND RECOMMENDA-
21 TIONS.—The Administrator shall biennially submit
22 to the Committee on Homeland Security and Gov-
23 ernmental Affairs of the Senate and the Committee
24 on Oversight and Accountability of the House of
25 Representatives a report containing the results of

1 the 2 most recent reviews conducted under this sub-
2 section, which shall include recommendations to the
3 President and to either the agency head or Congress
4 with respect to action the Administrator believes
5 should be taken.”; and

6 (C) in subsection (c)—

7 (i) in the first sentence—

8 (I) by striking “administrative
9 guidelines and management controls”
10 and inserting “regulations, adminis-
11 trative guidelines, and management
12 controls”; and

13 (II) by inserting after “their per-
14 formance” the following: “, which
15 shall include guidance regarding how
16 the agency and the advisory commit-
17 tees of the agency should prepare the
18 information that is required to be sub-
19 mitted under subsection (a)(2) to en-
20 sure standardization and consistency
21 in the reporting of that information”;
22 and

23 (ii) by adding at the end the fol-
24 lowing: “The Administrator may update
25 the regulations, administrative guidelines,

1 and management controls prescribed under
2 this subsection, as determined necessary by
3 the Administrator.”; and

4 (2) in section 1007—

5 (A) by amending subsection (a) to read as
6 follows:

7 “(a) ADMINISTRATIVE GUIDELINES AND MANAGE-
8 MENT CONTROLS.—Each agency head shall—

9 “(1) establish uniform administrative guidelines
10 and management controls for advisory committees
11 established by that agency, which shall be consistent
12 with directives of the Administrator under sections
13 1006 and 1009 of this title;

14 “(2) maintain systematic information on the
15 nature, functions, and operations of each advisory
16 committee within the jurisdiction of the agency;

17 “(3) ensure timely and accurate reporting to
18 the Administrator regarding the activities of each
19 advisory committee within the jurisdiction of the
20 agency, including with respect to the information re-
21 quired to be submitted under section 1006(a)(2);

22 “(4) in coordination with each officer or em-
23 ployee of the Federal Government designated under
24 section 1009(e), establish relevant and appropriate

1 performance measures and outcomes for each advisory
2 committee established by the agency; and

3 “(5) ensure that each advisory committee with-
4 in the jurisdiction of the agency, and the staff of
5 each such advisory committee (including each officer
6 or employee of the Federal Government designated
7 under section 1009(e)), complies with the require-
8 ments of this chapter and the rules, orders, and reg-
9 ulations promulgated under this chapter.”; and

10 (B) in subsection (b)—

11 (i) in paragraph (2)—

12 (I) by inserting “recommendations,” after “records,”; and
13

14 (II) by striking “and” at the end;

15 (ii) in paragraph (3)—

16 (I) by striking “such reports,
17 records, and other papers” and insert-
18 ing “the reports, records, rec-
19 ommendations, and other papers de-
20 scribed in paragraph (2)”;

21 (II) by striking the period at the
22 end and inserting “; and”;

23 (iii) by adding at the end the fol-
24 lowing:

1 “(4) serve as the primary liaison between the
2 agency and the Administrator.”.

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